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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/735,642	KAVANAGH ET AL.
	Examiner	Art Unit	
	Ella Colbert	3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 June 2008_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1 and 3-38_ is/are pending in the application.

    4a) Of the above claim(s) _38_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1 and 3-37_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-38 are pending in this communication filed 6/05/08 entered as

Response to Election/Restriction (Notice of informal or Non-Responsive Amendment).

2.   The Notice or informal or Non-Responsive Amendment has been overcome by

Applicants' response and is hereby withdrawn.

       Applicants' election without traverse of claims 1 and 2-37 in the reply filed

6/05/08 is acknowledged. Claim 38 has been withdrawn from further consideration

pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no

allowable generic or linking claim. Election was made without traverse in the reply filed

on 6/05/08.

Specification

       The Specification is objected to because Page 4, has the following acronyms:

"TCP/IP" and "SNA". When an acronym is first mentioned the acronym should be

written, for example, as Transmission Control Protocol/Internet Protocol (TCP/IP). Page

6 has a similar issue with "ATM" and "SMS"; Page 10 with "EMS" and "MMS"; Page 23

with "PAN"; and Page 27 with "PIN". Correction is required. See MPEP § 608.01(b).

       Suggested format and contents for the Specification is the following:

Content of Specification

(a)   <u>Title of the Invention</u>: See 37 CFR 1.72(a) and MPEP § 606. The title of
       the invention should be placed at the top of the first page of the
       specification unless the title is provided in an application data sheet. The
       title of the invention should be brief but technically accurate and
       descriptive, preferably from two to seven words may not contain more
       than 500 characters.

(b)   Cross-References to Related Applications: See 37 CFR 1.78 and MPEP
       § 201.11.

(c)   Statement Regarding Federally Sponsored Research and Development:
       See MPEP § 310.

(d)   The Names Of The Parties To A Joint Research Agreement: See 37 CFR
       1.71(g).

(e)   Incorporation-By-Reference Of Material Submitted On a Compact Disc:
       The specification is required to include an incorporation-by-reference of
       electronic documents that are to become part of the permanent United
       States Patent and Trademark Office records in the file of a patent
       application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer
       program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),
       and tables having more than 50 pages of text were permitted as electronic
       documents on compact discs beginning on September 8, 2000.

(f)   Background of the Invention: See MPEP § 608.01(c). The specification
       should set forth the Background of the Invention in two parts:

       (1)   Field of the Invention: A statement of the field of art to which the
              invention pertains. This statement may include a paraphrasing of
              the applicable U.S. patent classification definitions of the subject
              matter of the claimed invention. This item may also be titled
              "Technical Field."

       (2)   Description of the Related Art including information disclosed under
              37 CFR 1.97 and 37 CFR 1.98: A description of the related art
              known to the applicant and including, if applicable, references to
              specific related art and problems involved in the prior art which are
              solved by the applicant's invention. This item may also be titled
              "Background Art."

(g)   Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary
       or general statement of the invention as set forth in 37 CFR 1.73. The
       summary is separate and distinct from the abstract and is directed toward
       the invention rather than the disclosure as a whole. The summary may
       point out the advantages of the invention or how it solves problems
       previously existent in the prior art (and preferably indicated in the
       Background of the Invention). In chemical cases it should point out in
       general terms the utility of the invention. If possible, the nature and gist of
       the invention or the inventive concept should be set forth. Objects of the

invention should be treated briefly and only to the extent that they
contribute to an understanding of the invention.

(h)   Brief Description of the Several Views of the Drawing(s): See MPEP §
        608.01(f). A reference to and brief description of the drawing(s) as set
        forth in 37 CFR 1.74.

(i)   Detailed Description of the Invention: See MPEP § 608.01(g). A
        description of the preferred embodiment(s) of the invention as required in
        37 CFR 1.71. The description should be as short and specific as is
        necessary to describe the invention adequately and accurately. Where
        elements or groups of elements, compounds, and processes, which are
        conventional and generally widely known in the field of the invention
        described and their exact nature or type is not necessary for an
        understanding and use of the invention by a person skilled in the art, they
        should not be described in detail. However, where particularly
        complicated subject matter is involved or where the elements,
        compounds, or processes may not be commonly or widely known in the
        field, the specification should refer to another patent or readily available
        publication which adequately describes the subject matter.

(j)   Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or
        claims must commence on separate sheet or electronic page (37 CFR
        1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each
        element or step of the claim should be separated by a line indentation.
        There may be plural indentations to further segregate subcombinations or
        related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

(k)   Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the
        disclosure as a whole in a single paragraph of 150 words or less
        commencing on a separate sheet following the claims. In an international
        application which has entered the national stage (37 CFR 1.491(b)), the
        applicant need not submit an abstract commencing on a separate sheet if
        an abstract was published with the international application under PCT
        Article 21. The abstract that appears on the cover page of the pamphlet
        published by the International Bureau (IB) of the World Intellectual
        Property Organization (WIPO) is the abstract that will be used by the
        USPTO. See MPEP § 1893.03(e).

(l)   Sequence Listing, See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431.
        The requirement for a sequence listing applies to all sequences disclosed
        in a given application, whether the sequences are claimed or not. See
        MPEP § 2421.02.

Claim Objections

Claims 20, 34, 36, and 37 are objected to because of the following informalities:

Claim 20 recites the acronyms "TCP/IP" and "SNA". Claim 34 has a similar problem

with the acronym "ATM" and claim 36 has a similar problem with the acronym "SMS".

Claim 37 recites "A computer program product comprising software …". This claim

limitation as written appears to cross two separate classes of invention which is

improper. This claim would be better recited as "The transaction processing system as

claimed in claim 1 comprising computer software for completing a transaction when

executed on a digital computer". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claims 1, 4-9, 14, and 31 are rejected under 35 U.S.C. 112, second paragraph,

as being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

Claim 1 recites the term "allowing" in the claim limitation of the "wherein" clause.

This is not considered a positive recitation in a claim limitation. "Allow" by definition

means to "let do or happen, permit; (b) to suppose; (c) a possibility". Claims 5, 7, and

31 have a similar problem.

Claim 1 recites "transaction conditions", "transaction condition", and "conditions"

which is vague and unclear in the claim language. A condition or conditions can

encompass almost anything under the sun. These claim limitations are very broad and varied. Claims 4-9 and 14 have a similar problem.

Claim 7 recites "specified parameters" which is vague. "Customer specified parameters" could mean anything from a day or a week or a month or a year or a minute or a second or an hour, etc.

"An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed ...". *In re Zletz* 13 USPQ2d 1320 (Fed. Cir. 1989).

Double Patenting

Claims 1-37 are provisionally rejected on the ground of nonstatutory double patenting over claims 1-29 of copending Application No.11/643,939. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: A transaction processing system comprising an interface for receiving authorisation requests, an interface for transmitting authorisation outputs, and a processing means comprising means for determining from authorisation request data if the system output should be positive or negative, characterised in that the processing means comprises: a setup means comprising

means for storing transaction conditions associated with particular customers, and

authorisation means for dynamically retrieving a transaction condition associated with

the customer of each authorisation request on a per-transaction basis and for applying

said conditions to the authorisation request; wherein the setup means comprises an

interface comprising means for allowing each customer to define said conditions in

claim 1 and claims 3-7, 11-13, 15, 16, 20-31, and 33-37 of the instant application have

identical claims 2-7, 8-10, 11, 12, 13-29 to those of the provisional application

11/643,939. Claims 14, 17-19, and 32 in the instant application would be obvious to

add those features to the provisional application 11/643,939 and to add the other

remaining claim limitations of claim 1 as follows: "wherein at least some of the

conditions are in the form of program code rules; wherein the setup means comprises

means for maintaining a rule database; wherein the authorisation means comprises

means for automatically transmitting a notification to a customer under control of the

conditions; wherein the authorisation request interface comprises a network interface for

interfacing with a card payment network; wherein the authorisation request interface

comprises a network interface for interfacing with an issuer front end system;

wherein the output interface further comprises a card management system interface for

interfacing with an issuer card management system; and wherein the setup means

comprises means for controlling customer activation of a card" to the instant application.

    Furthermore, there is no apparent reason why applicant would be prevented from

presenting claims corresponding to those of the instant application in the other

copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA

1968). See also MPEP § 804.

The claims have been given the best examination that can be understood from

the claim language and the lack of clarity in the claims.

"An essential purpose of patent examination is to fashion claims that are precise,

clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be

removed ...". *In re Zletz* 13 USPQ2d 1320 (Fed. Cir. 1989).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim1 is rejected under 35 U.S.C. 102(b) as being anticipated by (US

4,874,932) Kimizu.

Claim 1. Kimizu discloses, A transaction processing system comprising an interface for

receiving authorisation requests, an interface for transmitting authorisation outputs, and

a processing means comprising means for determining from authorisation request data

if the system output should be positive or negative, characterised in that the processing

means comprises: a setup means comprising means for storing transaction conditions

associated with particular customers (col. 2, lines 41-col. 3, line 6), and

authorisation means for dynamically retrieving a transaction condition associated with

the customer of each authorisation request on a per-transaction basis and for applying

said conditions to the authorisation request; wherein the setup means comprises an

interface comprising means for allowing each customer to define said conditions (col. 3,

30-60 and col. 4, lines 21-36).

The claim limitations discuss the intended use but not what they are in relation to

each claim limitation in independent claim 1.

The recitations "storing transaction conditions associated with particular

customers" and "a transaction condition associated with particular customers"

constitutes a statement of intended use. As such, the recitations are not afforded

patentable weight. The intended use of the information determined by the interface is

not functionally related to the structure of the system as claimed. The structure of the

system remains the same regardless of the interface in the system. Thus, this

descriptive material will not distinguish the claimed invention from the prior art in terms

of patentability, *see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir.

1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP §2106.*

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

   Claims 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US

4,874,932) Kimizu and (US 5,963,925) Kolling et al, hereafter Kolling. further in view of

(US 2002/0160771) Massie et al, hereafter Massie.

Claim 3. Kimizu failed to disclose, The transaction processing system as claimed in

claim 1, wherein said interface comprises a Web server. It is well-known that a web

server is a computer program that is responsible for accepting HTTP requests from

clients, which are known as browsers, and serving them HTTP responses along with

optional data contents, which usually are web pages such as HTML documents and

linked objects (images, etc.).

Claim 4. Kimizu failed to disclose, The transaction processing system as claimed in

claim 1, wherein the setup means comprises means for storing predefined template

conditions, and for allowing a customer to select predefined template conditions for his

or her card. Kolling discloses, the transaction processing system as claimed in claim 1,

where the setup means comprises means for storing predefined template conditions,

and for allowing a customer to select predefined template conditions for his or her card

(col. 7, line 58-col. 8, line 10). It would have been obvious to one having ordinary skill in

the art at the time the invention was made to incorporate the teachings of Kolling in

Kimizu because such an incorporation would allow Kimizu to have a template library

and the collection of consumer statements (analogous art to template conditions for his

or her card).

Claim 5. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 4, wherein the setup means comprises a fraud manager interface

comprising means for allowing a fraud manager with access control to define said

template conditions. It would have been obvious to one having ordinary skill in the art at

the time the invention was made to have the setup means comprise a fraud manager

interface for allowing a fraud manager to have access control to define the template

conditions because this would assist in the prevention of fraudulent credit card

transactions.

Claim 6. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 4, wherein the predefined template condition comprises specific

placeholders for conditions, values and logical operators. It would have been obvious to

one having ordinary skill in the art at the time the invention was made to have a

predefined template condition with specific placeholders for conditions, values and

logical operators because this would allow for a pre-developed page layout in electronic

or paper media used to create new pages from the same design, pattern, or style.

Claim 7. Kimizu failed to disclose, The transaction processing system as claimed in

claim 4, wherein the setup means comprises input means for allowing a customer to

input customer specified parameters to the predefined template conditions. Kolling

discloses, The transaction processing system as claimed in claim 4, wherein the setup

means comprises input means for allowing a customer to input customer specified

parameters to the predefined template conditions (col. 8, line 40-col. 9, line 13).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to incorporate the teachings of Kolling in Kimizu because such an

incorporation would allow Kimizu to have a system with a template for credit card

information.

Claim 8. Kimizu failed to disclose, The transaction processing system as claimed in

claim 4, wherein each template comprises an associated action which is the action to be

taken if, upon evaluation, the template condition evaluates to "true". Kolling discloses,

The transaction processing system as claimed in claim 4, wherein each template

comprises an associated action which is the action to be taken if, upon evaluation, the

template condition evaluates to "true" (col. 16, line 47-col. 17, line 19). It would have

been obvious to one having ordinary skill in the art at the time the invention was made

to incorporate the teachings of Kolling in Kimizu because such and incorporation would

allow Kimizu to have a system with a template for credit card information.

Claim 9. Kimizu and Kolling failed to disclose,The transaction processing system as

claimed in claim 1, wherein at least some of the conditions are in the form of program

code rules. It is well-known that program code rules have conditions such as a rule for

generating the program code and configuring a code packet to implement at least one

rule comprising associating program code. Therefore it would have been obvious to

one having ordinary skill in the art at the time of the invention to have some of the

conditions in the form of program code rules because this would allow the application to

have programming language with program code assembly instructions.

Claim 10. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 9, wherein the setup means comprises means for maintaining a rule

database. It is well-known that a database has rules such as for creating the wording of

a data table reference specification based on the input and output attributes attached to

a rule.

    Claims 11- are rejected under 35 U.S.C. 103(a) as being unpatentable over (US

4,874,932) Kimizu and (US 5,963,925) Kolling et al, hereafter Kolling further in view of

(US 7,263,506) Lee et al, hereafter Lee and (US 2002/0160771) Massie et al, hereafter

Massie.

Claim 11. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 10, wherein the rule database comprises means for storing rules in a

format which is indexed on a particular customer or customer card number. Lee

discloses, The transaction processing system as claimed in claim 10, wherein the rule

database comprises means for storing rules in a format which is indexed on a particular

customer or customer card number (col. 13, lines 52-67). It would have been obvious to

one having ordinary skill in the art at the time the invention was made to incorporate the

teachings of Lee in Kimizu because such an incorporation would allow Kimizu to have a

card transaction system over a network or Internet with the components fro an

authorization request.

Claim 12. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 11, wherein said rules comprise system, product and customer rules.

Lee discloses, The transaction processing system as claimed in claim 11, wherein said

rules comprise system, product and customer rules (col. 36, lines 51-67). It would have

been obvious to one having ordinary skill in the art at the time the invention was made

to incorporate the teachings of Lee in Kimizu because such an incorporation would

allow Kimizu to have rules for the use of purchasing merchandise and using a credit

card.

Claim 13. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 10, wherein said rules are stored in a format which does not require

parsing of logical string-based expressions for processing. Lee discloses, The

transaction processing system as claimed in claim 10, wherein said rules are stored in a

format which does not require parsing of logical string-based expressions for processing

(cp;. 8, lines 9-54). It would have been obvious to one having ordinary skill in the art at

the time the invention was made to incorporate the teachings of Lee in Kimizu because

such an incorporation would allow Kimizu to have a more efficient and easier way to

process the transactions.

Claim 14. Kimizu and Kolling failed to disclose, The transaction processing system as

claimed in claim 1, wherein the authorisation means comprises means for automatically

transmitting a notification to a customer under control of the conditions. Kolling
discloses, The transaction processing system as claimed in claim 1, wherein the
authorisation means comprises means for automatically transmitting a notification to a
customer under control of the conditions (col. 25, lines 27-41). It would have been
obvious to one having ordinary skill in the art at the time the invention was made to
incorporate the teachings of Kolling in Kimizu because such an incorporation would
allow Kimizu to have the ability to send and to receive messages.

Claim 15. Kimizu discloses, The transaction processing system as claimed in claim 14,
wherein the authorisation means comprises means for receiving confirmation of
authorisation from a customer in response to a notification (col. 3, lines 30-60).

Claim 16. Kimizu discloses, The transaction processing system as claimed in claim 1,
wherein the authorisation means comprises means for successively applying system-
level, card product-level, and the customer conditions upon receipt of an authorisation
request (col. 4, lines 37-68).

Claim 17. Kimizu discloses, The transaction processing system as claimed in claim 1,
wherein the authorisation request interface comprises a network interface for interfacing
with a card payment network (col. 6, lines 26- 37).

Claim 18. Kimizu discloses, The transaction processing system as claimed in claim 17,
wherein the authorisation request interface comprises a network interface for interfacing
with an issuer front end system (col.5, lines 34-68).

Claim 19. Kimizu discloses, The transaction processing system as claimed in claim 17,
wherein the output interface further comprises a card management system interface for

interfacing with an issuer card management system (col. 6, lines 1-19).

Claim 20. Kumizu, Kolling, and Lee failed to disclose, The transaction processing system as claimed claim 17, wherein the network interface comprises means for communicating over TCP/IP, X.25, Serial, Modem, SNA or any other communication format. Massie discloses, The transaction processing system as claimed claim 17, wherein the network interface comprises means for communicating over TCP/IP, X.25, Serial, Modem, SNA or any other communication format (col. 1, page 3 [0022] and page 4, col. 2 [0038]).

Claim 21. Kimizu, Kolling, and Lee failed to disclose, The transaction processing system as claimed in claim 17, wherein the network interface comprises means for converting received messages into a general standard data format. Massie discloses, The transaction processing system as claimed in claim 17, wherein the network interface comprises means for converting received messages into a general standard data format (Page 3, col. 1 [0020]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Massie in Kimizu because such an incorporation would allow Kimizu to have a data communication between data networks that is not fully standardized and as a result a number of different standards, protocols are available to provide data communications.

Claim 22. Kimiz, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 21, wherein the network interface comprises a communication header module for converting received messages into a standardised data sequence of bytes. It would have been obvious to one having ordinary skill in the

art at the time the invention was made to have the network interface comprise a communication header module for converting received messages into a standardized data sequence of bytes because this would allow for the network to read the received messages.

Claim 23. Kimizu, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 19, I wherein the card management system interface comprises a protocol header module comprising means for converting a standardised sequence of bytes received from the network interface into an internal format for processing. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the network interface comprise a communication header module for converting received messages into a standardized data sequence of bytes because this would allow for the network to read the received messages.

Claim 24. Kimizu, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 19, wherein the card management system interface comprises a protocol header module comprising means for converting a standardised sequence of bytes received from a communications header module into an internal format for processing. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the network interface comprise a communication header module for converting messages into a standardized data sequence of bytes because this would allow for the network to read the received messages.

Claim 25. Kimizu, Kolling, and Lee failed to disclose, The transaction processing system as claimed in claim 22, wherein the communication header and the protocol header modules comprise means for sequentially checking for, receiving, converting and routing messages and data. Massie discloses, the transaction processing system as claimed in claim 22, wherein the communication header and the protocol header modules comprise means for sequentially checking for, receiving, converting and routing messages and data (Page 4, col. 2 [0036]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Massie in Kimizu because such an incorporation would allow Kimizu to have a means for checking, receiving and routing messages and data through the network.

Claim 26. Kimizu, Kolling, and Lee failed to disclose, The transaction processing system as claimed in claim 17, wherein the communication header and protocol header modules comprise means for routing transaction requests and responses between the card payment network and card management system. Massie discloses, The transaction processing system as claimed in claim 17, wherein the communication header and protocol header modules comprise means for routing transaction requests and responses between the card payment network and card management system (Page 4, col. 2 [0036]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Massie in Kimizu because such an incorporation would allow Kimizu to have a means for checking, receiving and routing messages through a network.

Claim 27. Kimizu and Kolling failed to disclose, The transaction processing system as claimed in claim 10, wherein the setup means comprises means for updating the rules database in real time. Lee discloses, The transaction processing system as claimed in claim 10, wherein the setup means comprises means for updating the rules database in real time (col. 13, lines 51-67). Lee does not expressly disclose that the database is a rules database. However, any database can be used as a rules database. Calling the database a rules database is a design option.

Claim 28. Kimizu, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 1, wherein the authorisation means comprises means for automatically transmitting a notification to a fraud manager if a possible fraud is detected. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the authorization means comprise means for automatically transmitting a notification to a fraud manager if a possible fraud is detected because such an action would alert the fraud manager that someone is using a credit card that does not belong to that person to make a purchase.

Claim 29. Kimizu, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 1, wherein the authorisation means comprises means for automatically transmitting a notification to a customer if a possible fraud is detected. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the authorization means comprise means for automatically transmitting a notification to a customer if a possible fraud is detected because such an action would alert the customer that someone is using their credit card

that does not belong to that person to make a purchase.

Claim 30. Kimizu discloses, The transaction processing system as claimed in claim 1, wherein the authorisation means comprises means for automatically transmitting a notification to a customer if an authorisation request is rejected (col. 4, lines 1-20).

Claim 31. Kimizu, Kolling, lee and Massie failed to disclose, The transaction processing system as claimed in claim 1, wherein the authorisation means comprises means for automatically transmitting a notification to a customer if a request is authorised, allowing a customer to maintain a local log of authorised requests. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the authorization means comprise automatically transmitting a notification to a customer if a request is authorized, allowing a customer to maintain a local log of authorized requests because this would allow the customer to track how much the credit card has been used and if there were authorized fraudulent charges in the log.

Claim 32. Kimizu, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 1, wherein the setup means comprises means for controlling customer activation of a card. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have means for controlling the activation of a card because this would act as a security means and prevent the fraudulent use of a card in the event it was lost or stolen. Cards when activated have a security means for activation, for example, the persons telephone number and date of birth, and this is how the customer activation is controlled.

Claim 33. Kimizu and Lee failed to disclose, The transaction processing system as claimed in claim 32, wherein said controlling means comprises an on-line banking interface. Kolling discloses, The transaction processing system as claimed in claim 32, wherein said controlling means comprises an on-line banking interface (col.31, lines 19-56). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Kimizu the teachings of Kolling because such an incorporation would allow Kimizu to have a bank to use over the Internet for conducting transactions.

Claim 34. Kimizu, Kolling, Lee, and Massie failed to The transaction processing system as claimed in claim 32, wherein said controlling means comprises an ATM interface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have an ATM interface because this would allow for conducting banking transactions either at a kiosk or at a home computer or at an automated teller machine.

Claim 35. Kimizu, Kolling, Lee, and Massie failed to disclose, The transaction processing system as claimed in claim 17, wherein the authorisation means comprises means for receiving a cardholder request that a card be deactivated. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a means for receiving a cardholder request that a card be deactivated because this would prevent fraudulent use of the card if it has been lost or stolen.

Claim 36. Kimizu, Kolling, and Lee failed to disclose, The transaction processing system as claimed in claim 35, wherein said means comprises means for receiving an SMS from a cardholder. Massie discloses, The transaction processing system as

claimed in claim 35, wherein said means comprises means for receiving an SMS from a

cardholder (Page, col. 1 [0041]). It would have been obvious to one having ordinary

skill in the art at the time the invention was made to incorporate the teachings of Massie

in Kimizu because such an incorporation would allow Kimizu to have a means for

receiving a short mail message from a cardholder if there is suspected card fraud.

Claim 37. Kimizu, Kolling, Lee, and Massie failed to disclose, A computer program

product comprising software for completing a transaction processing system as claimed

in claim 1 when executing on a digital computer. It would have been obvious to one

having ordinary skill in the art at the time the invention was made to have a digital

computer because this would allow the manipulation of data according to a list of

instructions and store data in terms of digits (numbers) and proceed with discrete steps

from one state to the next.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Kannenberg (US 2003/0158759 A1) disclosed software defining business rules.

Campbell (US 4,408,203) disclosed an electronic funds transfer system.

Kumar et al (US 2002/0143634) disclosed a wireless payment system.

Seiderman (US 5,388,148) disclosed using a credit card validation system.

Comments: Applicants' claim limitations do not appear to claim that which is

considered Applicants' invention. For example, claims 6, 7, 11, 20-27, and 33 appear to

deal more with the components of the system rather than with the detection of

fraudulent use of a credit card or debit card.

Inquiries

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ella Colbert whose telephone number is 571-272-6741.

The examiner can normally be reached on Monday, Tuesday, and Thursday, 5:30AM-

3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dixon Thomas can be reached on 571-272-6803. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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/Ella Colbert/
Primary Examiner, Art Unit 3696

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